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FAA-2002-13323-1



Gateway to the National Parks...
And Beyond!

SCENIC AIRLINES, INC.

DEPT. OF TRANSPORTATION
02 SEP -9 PM 3:30

August 30, 2002

U.S. Department of Transportation
Docket Management System
400 7th Street S.W.
Room PL 401
Washington, DC 20591-0001

Eagle Jet Charter Inc.
Certificate Number OIZA012W
2705 Airport Dr.
North Las Vegas, NV 89032
Phone (702) 638-3331
Fax (702) 638-3335
e-mail shurst@scenic.com

Regarding: 14 CFR, FAR 121.313 (j), (1), (2)

To whom it may Concern:

On behalf of Eagle Jet Charter Inc. and in accordance with FAR 11.61 (b) and FAR 11.81, I am petitioning for an exemption to FAR 121.313 (j), (1), and (2) in its' entirety.

Eagle Jet Charter Inc. operates five (5) Fokker F-27 aircraft that fall under the requirements of FAR 121.313 (j). These aircraft are operated primarily in three areas,

- 1). Flying air tours from Las Vegas, Nevada to the Grand Canyon National Park.
- 2). Department of Defense (DOD) contract out of Pt. Mugu Naval Air Station. (See attached letter from the Department of The Air Force Headquarters Air Mobility Command).
- 3). Ad-hoc charter flights.

To my knowledge Eagle Jet Charter Inc. is the only Fokker F-27 operator currently using this type of aircraft for passenger service within the United States. We are a small business employing approximately two hundred forty (240) individuals. We are of the opinion that our operations are such that we have a very low risk of a security breach. Also our aircraft are of such size that they do not lend themselves to being used as a weapon of mass destruction.

The seating capacity of the F-27 is 44 to 48 seats depending of specific model. Therefore Eagle Jet charter falls under and operates under the guidelines of the "Partial Security Program". We are in compliance with phase 1 requirements regarding cockpit doors. We believe that the combination of the Partial Security Program and phase 1 cockpit door security provides an adequate level of safety and security for our daily operations.

August 30, 2002

We have expended a great deal of effort to this point in trying to find a suitable design so as to comply with FAR 121.313 (j). We have determined that because of the unique interior configuration of the F-27 it would require significant modification to the existing passenger bulkhead separating the passenger compartment from the forward baggage compartment and cockpit in order to support the requirements of the door. The engineering and design cost can only be spread over five aircraft. To our best estimate it will cost Eagle Jet Charter in excess of \$35,000.00 per aircraft to design, engineer, obtain approval and install the required cockpit door, there are no other operators that we can partner with to share development cost. With the current reimbursed amount being \$13,000.00, we would have an out of pocket expense of \$22,000.00, per aircraft. These aircraft are approaching the end of their service life and it is doubtful that the \$22,000.00 could ever be recovered in operating revenue. We feel that this creates an undo financial hardship on a company of our size, operating in a small niche market that has already been devastated by outside forces. Our company is currently in a state such that additional financial burdens only make the recovery process that much more difficult.

In summary, Eagle Jet Charter Inc. request an exemption from FAR 121.313 (j) (1) and (2). (Flightdeck Door installation to resist forcible intrusion by unauthorized persons and Resist penetration by small arms fire).

We have accomplished phase 1 to all cockpit door to enhance the intrusion resistance of the existing door. We operate in a niche environment that does not pose a high level or threat to a security breach. To make the needed modifications to the F-27 aircraft would place an undo financial hardship on a small company operating a very small unique fleet of aircraft. With the expected useful life of the aircraft coming close to an end the opportunity to recover development and installation cost is doubtful.

Sincerely,



Sidney Hurst
VP Maintenance/Operations

cc. Richard Wolf (Las Vegas FSDO)
Chad Dixon (President Eagle Jet Charter)



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR MOBILITY COMMAND (AMC)

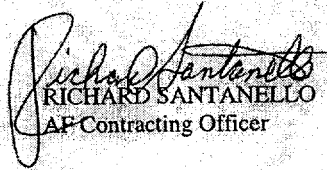
25 Jun 2002

MEMORANDUM FOR To Whom It May Concern

FROM: HQ AMC/DOYAS
402 Scott Drive Unit 3A1
Scott AFB IL 62225-5302

SUBJECT: Eagle Jet Charter, Inc., Contract F11626-00-D-0022

1. Eagle Jet Charter's performance under Contract F11626-00-D-0022 has been above average to excellent. Eagle Jet Charter provides passenger air transportation between Naval Air Station Point Mugu CA and San Nicolas Island CA five days per week with a minimum of 130 passengers going out on Monday and coming back the last work day of the week. (Thursday one week and Friday the next) Some off-line missions are also flown from Point Mugu to destinations within a 500-mile radius.
2. If Eagle Jet Charter's service were discontinued, the Pacific Test Range would be impacted in several ways. First, the Naval Test Wing Pacific has no other in-house assets to transport personnel in volume. Second, many other missions would be impacted, such as those at Vandenburg AFB, Edwards AFB, China Lake Naval Wing Test Center, and Pacific Fleet Training Operations. To replace this service by a new contract would take from 6 to 8 months.
3. Loss of Eagle Jet Charter's service would have a significant impact on the Air Mobility Command's ability to support Naval operations at Naval Air Station Point Mugu.


RICHARD SANTANELLO
AF Contracting Officer